



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20281
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/706,490	11/03/2000	Rainer Bruhn	VAL-500-A	6485

7590 10/16/2002
Young & Basile PC
3001 West Big Beaver Road
Suite 624
Troy, MI 48084-3107

EXAMINER

LE, DANG D

ART UNIT	PAPER NUMBER
----------	--------------

2834

DATE MAILED: 10/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/706,490

Applicant(s)

BRUHN

Examiner

Dang D Le

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18,20 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18,20 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Request for Continue Examination (RCE)

1. The request filed on 9/4/02 for an RCE under 37 CFR 1.114 based on parent Application No. 09/706,490 is acceptable and an RCE has been established. An action on the RCE follows.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, 5, 6, 11, 12, 20 and 21 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

3. The indicated allowability of claims 4, 7-10, and 13-18 is withdrawn in view of the newly discovered reference(s) to Bresson et al. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10, 13-18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lagarde et al. (U.S. Pat. No. 5,857,553) in view of Bresson et al. (U.S. Pat. No. 4,848,433).

Regarding claim 1, Lagarde et al. shows all of the limitations of the claimed invention except for an annular element mounted free of torsion on the gear box (1) and positioned between the wrap spring (9) and the gear box (1), the annular element diverting into the gear box a moment of torsion introduced by the driven shaft.

Bresson et al. show an annular element (12) mounted free of torsion on the gear box (1) and positioned between the wrap spring (11) and the gear box (1), the annular element diverting into the gear box a moment of torsion introduced by the driven shaft for the purpose of locking the driven shaft.

Since Lagarde et al. and Bresson et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include an annular element between the gear box and the wrap spring as taught by Bresson et al. for the purpose discussed above.

Regarding claim 2, it is noted that Bresson et al. also show inner side of the gear box having an inner toothing (near 9a, Figure 3) and a jacket surface of the annular element facing toward the inner side of the gear box having a corresponding inner toothing.

Regarding claim 3, it is noted that Bresson et al. also show the annular element (12) can be locked into the gearbox.

Regarding claim 4, the claim is similar to claim 1 except that it further recites the annular element having one locking hooks and locking indentations on its periphery

which can be engaged together with one of locking indentations and locking hooks respectively located on the inner side of the gear box. It is noted that Bresson et al. also show a similar structure in Figure 3 near numerals 9 and 9a.

Regarding claim 5, it is noted that Bresson et al. also show the planetary gear drive having a sun wheel as the gear input shaft (4b) and the side the sun wheel facing toward the wrap spring having a plurality of lands curved in cross section (10d, 10e), around which the wrap spring is positioned.

Regarding claim 6, it is noted that Bresson et al. also show the planetary gear drive having planets (5), which roll off on the inner tothing on the inner side of the gearbox.

Regarding claim 7, the claim is similar to claims 1 and 5. Therefore, it is also rejected.

Regarding claims 8-10 and 13-18, it is noted that Bresson et al. also shows all of the limitations of the claimed inventions.

Regarding claim 20, the claim is similar to claim 1. Therefore, it is also rejected.

Regarding claim 21, the claim is similar to claim 5. Therefore, it is also rejected.

6. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lagarde et al. in view of Bresson et al. as applied to claim 5 above, and further in view of Ozaki (4,587,450).

Regarding claim 11, the assembly of Lagarde et al. modified by Bresson et al. shows all of the limitations of the claimed invention except for the sun wheel having a core, the core and the sun wheel comprising different materials.

Ozaki shows the sun wheel (4) having a core (5), the core and the sun wheel comprising different materials for the purpose of making a rotor with gear.

Since Lagarde et al., Bresson et al. and Ozaki are all from the same field of endeavor, the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make the sun wheel with a core and the core and the sun wheel with different materials as taught by Ozaki for the purpose discussed above.

Regarding claim 12, it is noted that Ozaki also shows the core (Figure 6b) having one of a hexagonal cross section and a Torx cross section.

Information on How to Contact USPTO

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Application/Control Number: 09/706,490

Page 6

Art Unit: 2834

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

DDL
October 11, 2002

Sang L. Lee

17c